

ENTERED

November 17, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

HERNAN MARTINEZ-VIRAMONTES,
Petitioner,

V.

UNITED STATES OF AMERICA,
Respondent.

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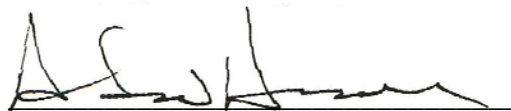
CIVIL ACTION NO. B-16-129
CRIMINAL NO. B-12-254-1

ORDER

Pending is the Magistrate Judge's October 7, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 5] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, it is ordered that Petitioner Hernan Martinez-Viramontes's Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless, and the issuance of a Certificate of Appealability is denied.

Signed this 17th day of November, 2016.



Andrew S. Hanen
United States District Judge